IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN

AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. Civil Second Appeal No.300 Of 2002.

Ram Charan Sharma Vs. Smt. Prayaswati

Date Of Order ::: 10.11.2006.

Hon'ble Mr. Narendra Kumar Jain J.

Mr. Madhav Mitra, Counsel for defendant-appellant.

By the Court :

Heard learned counsel for both the parties.

The plaintiff-respondent filed a suit for recovery of a sum of Rs.31,865/-, which was decreed by the learned Lower Court. The judgment and decree passed by the Lower Court has been affirmed by the First Appellate Court also.

Learned counsel for the defendant-appellant has argued the case at length.

After considering the submissions of learned counsel for the defendant-appellant in the light of the judgment and decree passed by both the Courts below, I

find that the controversial issues involved in the present case are relating to the question of facts and there is a concurrent finding of fact recorded by both the Courts below, which cannot be interfered with by this Court in second appeal under Section 100 of the C.P.C.

No substantial question of law is involved in this second appeal and the same is accordingly dismissed in limine.

(Narendra Kumar Jain) J.

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